

thereof and their captions had been read, the following bill and resolution:

H. C. R. No. 1, Relative to per diem of members of the Legislature.

H. B. No. 1, "An Act making an appropriation of the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary out of the general revenue to pay the per diem and mileage of members, the per diem of officers and employees, and the contingent expense of the Second Called Session of the Forty-second Legislature of the State of Texas convened on the 8th day of September, 1931, by proclamation of the Governor; to supplement the like appropriation of the Regular and First Called Sessions of said Legislature, etc., and declaring an emergency."

BILL RE-REFERRED.

On motion of Mr. Tarwater, House bill No. 13 was withdrawn from the Committee on Revenue and Taxation and referred to the Committee on Agriculture.

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 8, to Committee on Appropriations.

ADJOURNMENT.

On motion of Mr. Hardy, the House, at 2:40 o'clock p. m., adjourned until 9 o'clock a. m., next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committee filed favorable report as follows:

Agriculture: H. B. Nos. 19 and 21.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, September 11, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 1, Relative to the per diem of members,

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, September 11, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1, "An Act making an appropriation of the sum of fifty thousand dollars (\$50,000) or so much thereof as may be necessary out of the General Revenue to pay the per diem and mileage of members; the per diem of officers and employees; and the contingent expense of the Second Called Session of the Forty-second Legislature of the State of Texas convened on the 8th day of September, 1931, by proclamation of the Governor; to supplement the like appropriation of the Regular and First Called Session of said Legislature; to pay any unpaid vouchers or warrants held by members, officers, or employees of the Regular and First Called Sessions of said Legislature; to pay any unpaid claims or accounts of members, officers, or employees of said session or of other persons authorized either by the Senate or the House of Representatives; to pay any and all sums for whatever purpose authorized to be expended by concurrent resolution of the Forty-second Legislature at its Second Called Session; to pay the per diem of members, officers, or employees for pre-session and post-session work of the Second Called Session of said Forty-second Legislature; providing how accounts may be approved and audited, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

FOURTH DAY.

(Monday, September 14, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

Mr. Speaker.	Jackson.
Adams of Jasper.	Johnson
Adamson.	of Dallam.
Adkins.	Johnson
Akin.	of Dimmit.
Alsup.	Johnson of Morris.
Anderson.	Jones of Shelby.
Baker.	Jones of Atascosa.
Barron.	Justiss.
Bond.	Kennedy.
Bounds.	Lee.
Boyd.	Lemens.
Brice.	Leonard.
Brooks.	Lilley.
Bryant.	Lockhart.
Burns of Walker.	Long.
Burns	McCombs.
of McCulloch.	McGill.
Carpenter.	McGregor.
Claunch.	Magee.
Coltrin.	Mathis.
Coombes.	Metcalfe.
Cox of Lamar.	Moffett.
Cox of Limestone.	Moore.
Cunningham.	Murphy.
Dale.	Nicholson.
Daniel.	Olsen.
Davis.	O'Quinn.
DeWolfe.	Patterson.
Dodd.	Petsch.
Donnell.	Ramsey.
Dowell.	Ratliff.
Dunlap.	Ray.
Dwyer.	Reader.
Elliott.	Richardson.
Engelhard.	Rogers.
Farmer.	Rountree.
Ferguson.	Sanders.
Finn.	Satterwhite.
Fisher.	Savage.
Forbes.	Scott.
Ford.	Shelton.
Fuchs.	Sherrill.
Gilbert.	Smith of Bastrop.
Giles.	Smith of Wood.
Goodman.	Sparkman.
Graves.	Stephens.
Greathouse.	Stevenson.
Grogan.	Strong.
Hanson.	Sullivant.
Hardy.	Tarwater.
Harman.	Terrell
Harrison	of Cherokee.
of El Paso.	Towery.
Hatchitt.	Turner.
Hefley.	Van Zandt.
Herzik.	Vaughan.
Hill.	Veatch.
Hines.	Wagstaff.
Holder.	Walker.
Holland.	Weinert.
Holloway.	West of Coryell.
Hoskins.	West of Cameron.
Howsley.	Westbrook.
Hubbard.	Wiggs.
Hughes.	Young.

Absent.

Adams of Harris.	Laird.
Beck.	Lasseter.
Bradley.	Martin.
Duvall.	Munson.
Harrison	Pope.
of Waller.	Terrell
Keller.	of Val Verde.

Absent—Excused.

Albritton.	Mehl.
Bedford.	Morse.
Caven.	Steward.
Farrar.	Warwick.
Kayton.	Wyatt.
McDougald.	

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Kayton for today, on motion of Mr. Anderson.

Mr. Shelton and Mr. Morse for today, on motion of Mr. Fuchs.

Mr. Warwick for today, on motion of Mr. Tarwater.

Mr. McDougald for today, on motion of Mr. Magee.

Mr. Bedford for today, on motion of Mr. Ferguson.

Mr. Wyatt for today, on motion of Mr. Fisher.

Mr. Bond for today, on motion of Mr. Dowell.

Mr. Caven for today, on motion of Mr. Johnson of Dallam.

The following members were granted leaves of absence on account of illness:

Mr. Steward for today and the balance of the week, on motion of Mr. Ford.

Mr. Albritton for today and the balance of the week, on motion of Mr. Adkins.

Mr. Mehl for today and the balance of the week, on motion of Mr. Anderson.

Mr. Farrar for today and the balance of the week, on motion of Mr. Sparkman.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the

House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Towery:

H. B. No. 27, A bill to be entitled "An Act providing that the river bed of the Trinity River in Henderson and Navarro counties shall not be sold and shall remain open to the public for fishing and hunting with the specific reference to that portion of the Trinity River known as The Cut Off; and providing that the commissioners courts of Henderson and Navarro counties shall have the right of condemnation to procure right of ways to said river or Cut Off, and giving to the Game, Fish and Oyster Commission authority to make regulations controlling fishing and hunting on said Cut Off of the Trinity River, and providing a penalty for violations of same."

Referred to Committee on Game and Fisheries.

By Mr. Moffett and Mrs. Rountree:

H. B. No. 28, A bill to be entitled "An Act to declare a State policy regarding the activities of the various agricultural agencies of the State, especially as they affect cotton, and the increased use and consumption of same; directing that the heads of the State's various agricultural agencies shall take due notice of said policy; providing for the establishment of a cotton research laboratory and making an appropriation therefor, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Hubbard, Mr. Westbrook, Mr. Petsch, Mr. Ford, Mr. Moffett, Mr. Johnson of Dimmit, Mr. Giles, Mr. Barron and Mr. Metcalfe:

H. B. No. 29, A bill to be entitled "An Act requiring that all ginners, cotton yard operators, and public warehousemen, as defined by the laws of this State, shall upon the request of the owner of any cotton held or possessed by such ginners, cotton yard operators or public warehousemen, draw samples of said cotton and send same to the State Department of Agriculture for classification; authorizing the Commissioner of Agriculture to employ public cotton classers licensed as required by law; authorizing the Commissioner of Agriculture to issue cer-

tificates showing grade and staple of samples of cotton and to prescribe such forms of reports and records and to do such other things as he may deem proper for carrying out the purposes of this law; providing for co-operation with the United States Department of Agriculture and the A. and M. College; appropriating fifty thousand and no/100 (\$50,000) dollars; providing penalties, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Jones of Atascosa:

H. B. No. 30, A bill to be entitled "An Act repealing House bill No. 943, Chapter 159, page 311, of the Special Laws passed at the Regular Session of the Forty-second Legislature, as amended by House bill No. 37, Chapter 21, of the General and Special Laws of the First Called Session of the Forty-second Legislature, 1931, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Greathouse, Mr. Young, and Mr. Hubbard:

H. B. No. 31, A bill to be entitled "An Act amending Articles 2218, 2219, and Chapter 9, of Title 42, of the Revised Civil Statutes of Texas, 1925, and adding Article 2219a to said Chapter 9 of said Title 42; and providing that judgments foreclosing mortgage, contract and deed of trust liens upon real estate shall not be executed, nor shall an order of sale issue thereon, until after the expiration of six months from and after the date such judgments become final; providing for a right of redemption in the judgment debtor, his heirs, executors, administrators, or assigns within twelve months after the date of sale, etc., and declaring an emergency."

By Mr. Greathouse, Mr. Young, and Mr. Hubbard:

H. B. No. 32, A bill to be entitled "An Act to amend Article 3810 of the Revised Civil Statutes of the State of Texas of 1925 so as to provide that in all cases where sales of real estate are made under powers conferred by any deed of trust or other contract lien, that in such sales it shall be the duty of the holder or owner of said lien to give written notice of said sale to the owners of said land at

least six months before the date of said sale and that said notice be given by registered letter through the United States mail, and further providing that in any and all such sales the owners of such real estate and their assigns shall have the right to redeem said property as is otherwise provided by law, and declaring an emergency."

By Mr. West of Cameron:

H. B. No. 33, A bill to be entitled "An Act waiving the right of the State of Texas to enter upon, for the purpose of development of mines, minerals and mineral rights, including oil and gas thereunder, all lands heretofore granted, or that may hereafter be granted, under Article 8225, of the Revised Statutes, to any navigation district, and by such district conveyed, or that may hereafter be conveyed, to the United States of America for navigation purposes, so long as such lands shall be used by the United States of America, or such navigation district, for navigation purposes, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Donnell:

H. B. No. 34, A bill to be entitled "An Act amending Title 93, Article 5570 (7821) of the 1925 Revised Statutes of the State of Texas, adding to the duties now required for public bonded warehousemen who accept cotton for storage. Such extra duties being the requirement that all public bonded warehousemen shall, on or before December 1 each year, have all cotton that is stored with them classed by a certified Federal classifier, and a tag attached to each bale showing the weight and class, including length of staple; providing for a fee of 25 cents per bale, which shall be collected from the owner of the cotton; requiring reports be made to the Commissioner of Agriculture at Austin, Texas, on December 10 of each year, showing the number of bales of cotton of different grades on hand as of December 1."

Referred to Committee on Agriculture.

By Mr. Beck:

H. B. No. 35, A bill to be entitled "An Act to amend subdivision (b) of Section 3, of House bill No. 239, enacted by the Forty-second Legisla-

ture of Texas, Regular Session, extending the time for the holding of the election provided for therein and providing the same may be held at any time prior to December 31, 1935, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Gilbert, Mr. Towery, et al.:

H. B. No. 36, A bill to be entitled "An Act to add Article 6445a to the Revised Civil Statutes of Texas, 1925, Title 112; providing that the Railroad Commission of Texas shall have power and authority over corporations doing business in this State furnishing electric power or natural gas to the public and providing that such commission shall have the right to fix rates for said services and make regulations with reference thereto; said corporations becoming subject to the general provisions of the Railroad Commission Act and to the penalties therein provided for violation of the orders of the commission, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Richardson:

H. B. No. 37, A bill to be entitled "An Act to conserve the fertility of the soils of the State of Texas by limiting the percentage of cultivated lands which may be planted or cultivated in any one field crop during any one year, and requiring the rotation of crops from year to year; providing that more than fifty per cent of such lands may be planted to corn if soy beans, peas or other legumes are planted therewith; describing the unit of lands for determining the percentage of crop planting; prescribing penalties for violations, etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Petsch:

H. B. No. 38, A bill to be entitled "An Act to amend Section 7, Chapter 163, of the General Laws of the State of Texas, passed by the Forty-second Legislature at its Regular Session, 1931, relating to the issuance of bonds and warrants by cities and counties, so as to authorize the issuance of notes, bonds or treasury warrants for funding the existing legal indebtedness of counties or cities without notice of a referendum vote;

validating all bonds heretofore authorized pursuant to said Chapter 163, the records or transcripts of which have been approved by the Attorney General; validating the authorization and issuance of all funding and refunding bonds heretofore authorized by orders of the commissioners courts or the ordinances of the governing bodies of cities or towns, made and entered pursuant to said Chapter 163, and providing for their issuance; enacting provisions incident and necessary to the subject and purpose of this act, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Grogan:

H. B. No. 39, A bill to be entitled "An Act making it lawful to hunt wild deer with one dog after being crippled in the counties of Liberty and Hardin, Texas, during the open season of each year for a period of five years, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Sherrill (by request):

H. B. No. 40, A bill to be entitled "An Act to allow farmers, agriculturists and producers of agricultural products in Texas to agree with each other and with the farmers and agriculturists of other States to reasonably limit the acreage that each shall plant in any given crop, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Young:

H. B. No. 41, A bill to be entitled "An Act requiring any person, persons, joint stock company, limited co-partnership, partnership, or corporation to file in the office of the Railroad Commission an acceptance of the provisions of House bill No. 19, Acts of the First Called Session of the Forty-second Legislature, and all rules, regulations and orders of the Railroad Commission pursuant thereto before being permitted to possess, enjoy or exercise the right of eminent domain and other rights incident thereto, or, continue to do so; or, before receiving from the Railroad Commission a permit to drill or deepen a gas well, etc., and declaring an emergency."

Referred to Committee on Oil, Gas and Mining.

By Mr. Finn:

H. B. No. 42, A bill to be entitled "An Act amending Section 17, subdivision 5, of Article 7065n, of House bill No. 6, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, as amended by Section 2, House bill No. 31, Chapter 104, Acts of the Regular Session of the Forty-second Legislature, providing for refunds in certain instances for taxes paid and reapportioning and appropriating the revenues derived from the tax imposed under this act known as the gasoline tax law; declaring the policy of the State, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

BILL ORDERED NOT PRINTED.

On motion of Mr. Gilbert, House bill No. 12 was ordered not printed.

**COMMUNICATION FROM THE
HON. H. B. STEWARD.**

The Speaker laid before the House and had read the following communication:

Austin, Texas,
September 10, 1931.

To the Members of the Forty-second Legislature, Austin Texas.

Gentlemen: I wish to thank you and express to you my sincere appreciation for both the resolution of sympathy that you passed on my behalf and the nice flowers that you had sent to me.

I regret very much that I am unable to be with you now, but I am now hoping that I will be able to be in Austin with you in about ten days, if the session continues that long.

With kindest regards to all of you, I am,

Your fellow member,

H. B. STEWARD.

**PROVIDING FOR ADJOURNMENT
SINE DIE.**

Mr. Sanders offered the following resolution:

H. C. R. No. 12, Providing for adjournment sine die.

Whereas, The Governor of the State of Texas convened the Second Called Session of the Forty-second Legislature for a specific purpose and it now appears that it will be only

a matter of a short time until legislation will have been passed in accordance with the Governor's call; and,

Whereas, The Governor has announced to the people of the State of Texas, through the public press, that no other matters will be submitted to this session of the Legislature; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the members of the Legislature owe to the people of the State of Texas, under the present economic conditions, an obligation not to remain in session longer than is absolutely necessary; and, be it further

Resolved, That the Second Called Session of the Forty-second Legislature of the State of Texas shall stand adjourned sine die at 12 o'clock, noon, Thursday, September 17, 1931.

The resolution was read second time.

Mr. Satterwhite moved that the resolution be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—84.

Adams of Jasper.	Goodman.
Adamson.	Greathouse.
Adkins.	Grogan.
Akin.	Hanson.
Baker.	Hardy.
Barron.	Harman.
Bounds.	Hatchitt.
Brice.	Hefley.
Bryant.	Herzik.
Burns	Hill.
of McCulloch.	Hines.
Carpenter.	Holland.
Coltrin.	Holloway.
Coombes.	Hoskins.
Cox of Lamar.	Jackson.
Cox of Limestone.	Johnson
Cunningham.	of Dallam.
Dale.	Johnson
DeWolfe.	of Dimmit.
Dodd.	Johnson of Morris.
Donnell.	Jones of Shelby.
Elliott.	Jones of Atascosa.
Engelhard.	Justiss.
Farmer.	Lee.
Ferguson.	Leonard.
Fisher.	Lilley.
Forbes.	Lockhart.
Ford.	Magee.
Fuchs.	Moffett.
Gilbert.	Nicholson.
Giles.	Ray.

Richardson.	Tarwater.
Rogers.	Terrell
Rountree.	of Val Verde.
Satterwhite.	Towery.
Savage.	Vaughan.
Scott.	Veatch.
Smith of Bastrop.	Wagstaff.
Smith of Wood.	Walker.
Sparkman.	West of Coryell.
Stephens.	West of Cameron.
Stevenson.	Westbrook.
Strong.	Wiggs.
Sullivant.	Young.

Nays—18.

Anderson.	Kennedy.
Brooks.	Mathis.
Burns of Walker.	Moore.
Daniel.	Olsen.
Harrison	Petsch.
of El Paso.	Ratliff.
Holder.	Reader.
Howsley.	Sherrill.
Hubbard.	Turner.
Hughes.	

Absent.

Adams of Harris.	Long.
Alsup.	McCombs.
Beck.	McGill.
Boyd.	McGregor.
Bradley.	Martin.
Davis.	Metcalfe.
Dowell.	Munson.
Dunlap.	Murphy.
Duvall.	O'Quinn.
Dwyer.	Patterson.
Finn.	Pope.
Graves.	Ramsey.
Harrison	Sanders.
of Waller.	Terrell
Keller.	of Cherokee.
Laird.	Van Zandt.
Lasseter.	Weinert.
Lemens.	

Absent—Excused.

Albritton.	McDougald.
Bedford.	Mehl.
Bond.	Morse.
Caven.	Shelton.
Claunch.	Steward.
Farrar.	Warwick.
Kayton.	Wyatt.

Mr. Sanders gave notice that he would, on tomorrow, move to take up consideration, at that time, H. C. R. No. 12.

RELATIVE TO THE PRICE OF GINNING COTTON.

Mr. Terrell of Cherokee offered the following resolution:

H. C. R. No. 13, Relative to the ginning of cotton.

Whereas, The price of cotton is at the lowest point it has reached in many years, and the cost of ginning and wrapping has not declined in proportion to the price of cotton; and

Whereas, It is just and fair to the growers that the cost of ginning and wrapping the cotton be reduced in proportion to the price of cotton, in order that all persons engaged in the growing and preparing the cotton for market should share equally in the losses caused by low prices; therefore, be it

Resolved by the House of Representatives of the Forty-second Legislature, the Senate concurring, That it is the sense of this Legislature that the price of ginning and wrapping the present cotton crop be materially reduced in order that the producer may not have to bear all the loss caused by low prices.

Resolved further, That unless the price of ginning is reduced to a maximum of twenty-five cents per hundred pounds or less of seed cotton, it will increase the demand for regulating the price of ginning by law and may cause the enactment of a statute that will force the ginners to accept such price for ginning as may suit the wishes of the lawmakers, thus adding one more link to the chain of aggression which is fast assuming charge of private business and denying the people the right to use their property as their best judgment dictates.

Resolved further, That we request the ginners of Texas to reduce the price of ginning this season in proportion to the price of cotton and to furnish bagging and ties at cost to wrap the cotton in order that no drastic laws be enacted by the Legislature to control the price of ginning.

The resolution was read second time.

On motion of Mr. Terrell of Cherokee, further consideration of the resolution was postponed until tomorrow.

RELATIVE TO THE CONSIDERATION OF RESOLUTIONS.

On motion of Mr. DeWolfe, the House dispensed with further consideration of resolutions at this time.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, September 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 4, requesting the Governor to submit certain legislation.

Respectfully,

BOB BARKER,
Secretary of the Senate.

ADDRESS BY MR. F. H. WATSON.

Mr. Gilbert moved that Mr. F. H. Watson of Arkansas be invited to address the House at this time.

The motion prevailed.

Speaker Minor presented Mr. Hanson who, in turn, introduced Mr. Watson.

Mr. Watson then addressed the House.

IN COMMITTEE OF THE WHOLE HOUSE.

(Mr. Minor in the chair.)

On motion of Mr. DeWolfe, the House, at 9:20 o'clock p. m., resolved itself into a Committee of the Whole House for the purpose of considering bills relative to the production of cotton.

IN THE HOUSE.

(Mr. Minor in the chair.)

At 12 o'clock m., Mr. Minor, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress, and ask leave of the House to sit again at 2 o'clock p. m., today.

The following proceedings were also reported.

REPORT OF THE SUBCOMMITTEE IN REGARD TO COTTON ACREAGE REDUCTION.

The Chairman of the Committee of the Whole House laid before the Committee for consideration at this time the following report of the subcommittee heretofore appointed to study bills relative to cotton acreage reduction:

Committee Room,
Austin, Texas, September 14, 1931.

Hon. Fred H. Minor, Chairman of the Committee of the Whole House.

Sir: We, your subcommittee ap-

pointed under the motion made by Mr. Westbrook, on September 10, 1931, instructing us "to report back to the Committee of the Whole House that bill or these bills which, in our judgment, most nearly meet the following requirements":

1. To provide for a sufficient reduction to be effective.
2. To stand up in court as to constitutionality.
3. To be readily enforceable.
4. To be acceptable to other cotton-growing States.

Beg leave to advise that we have carefully studied and considered House bills Nos. 3, 5, 7, 8, 16 and 18, as well as other subjects and questions within the scope of the call of this Special Session of the Legislature, and have heard the authors of the respective bills, and have secured sundry assistance and counsel, and in the light of all of the above and our own study, deliberation and judgment thereon, we are of the opinion and beg to report as follows:

(1)

We recommend that committee amendments Nos. 1 and 2, to House bill No. 7, filed herewith, copies of which amendments are hereto attached and marked "Exhibits A and B," respectively, be adopted, and that said House bill No. 7 as so amended be reported back to the House favorably, and with the recommendation that it do pass.

(2)

We recommend that House concurrent resolution No. 6, which is filed herewith, and a copy of which is hereto attached and marked "Exhibit C," calling upon other cotton-growing States to adopt certain reciprocal legislation, etc., be reported back to the House favorably, with the recommendation that it do pass.

(3)

We recommend that House concurrent resolution No. 8, filed herewith, a copy of which is hereto attached and marked "Exhibit D," authorizing certain assistance to other cotton-growing States in their passage of reciprocal legislation, be reported back to the House favorably, with the recommendation that it do pass.

(4)

We recommend that House concurrent

resolution No. 10, which is filed herewith, a copy of which is hereto attached and marked "Exhibit E," calling upon the Federal Farm Board for a definite announcement that it will hold the cotton it has on hand for a certain length of time, and asking other States to petition the Farm Board similarly, be reported back to the House favorably, with the recommendation that it do pass.

(5)

We recommend that House concurrent resolution No. 7, filed herewith, a copy of which is hereto attached and marked "Exhibit F," petitioning Hon. Herbert Hoover, President of the United States, to call an international conference of cotton-growing countries of the world, looking towards an equitable adjustment of cotton production, be reported back to the House favorably, with the recommendation that it do pass.

(6)

We recommend that House bill No. 29, by Hubbard, Westbrook et al., a copy of which is hereto attached and marked "Exhibit G," authorizing and providing for more Federal licensed State cotton classers assisting the farmer in holding his cotton off the market, and encouraging the raising of better staple cotton, etc., be reported back to the House favorably, with the recommendation that it do pass.

(7)

We recommend that House concurrent resolution No. 11, a copy of which is hereto attached and marked "Exhibit H," petitioning the President of the United States to use every effort to effect commodity credits to foreign countries, be reported back to the House favorably, with the recommendation that it do pass.

As to all other bills before this subcommittee, we herewith tender those bills back to the respective committees from which they came, without recommendation.

Respectfully submitted,

JOHNSON of Dimmit,
Chairman;

GILES,
MURPHY,
TURNER,
FORD.

Exhibit A.

(1)

Amend House bill No. 7 by striking out all below the enacting clause and insert in lieu thereof the following:

"Section 1. It is hereby declared by the Legislature of the State of Texas that it is made mandatory upon the Legislature of the State of Texas under the Constitution of the State to enact laws to compel the preservation and development of the soil and the fertility thereof and to preserve the public interest and the general welfare and the happiness of the people and in the exercise of the duty to preserve and develop the natural resources of the State and promote the general welfare of the people, this act is passed.

"The Legislature declares:

"a. The most valuable natural resource of the State is its soil and the fertility thereof adapted to the raising of cotton and other useful plants;

"b. The growing of cotton in the State is an industry of first importance;

"c. The preservation and restoration of the soil and the fertility of the soil is essential to the welfare of the people of the State;

"d. The continuous use of land for the growing of cotton and other soil-exhausting plants, without rotation of crops, or without intervals during which intervals cotton and/or other soil-exhausting plants are not planted has, as to much of the land of the State, caused:

"(1) Serious deterioration of the soil and the fertility thereof;

"(2) Disastrous erosion of the land and loss of fertile soil;

"(3) The spread over wide areas of root rot and other soil and/or plant diseases;

"(4) The propagation of boll weevil, cotton flea, and other harmful insects, and made their elimination or control difficult;

"(5) Deterioration of the quality and quantity of the cotton and other plants raised.

"That like results will follow to the other cotton-raising areas unless prevented by this legislation; that the deterioration of the soil, and of the fertility of the soil, and of the loss of the soil, the presence of soil and plant diseases and harmful insects,

and the deterioration in the quality and a reduction in the quantity per acre of the cotton and other plants raised has resulted in lack of ability on the part of a very large percentage of the farmers of the State to meet the obligations due upon their homes, and or to discharge the taxes due to the State and/or counties, and/or other political subdivisions, whereby the general welfare of the people is injuriously affected, and the efficiency of the State government greatly impaired, and the business of farming has thereby become affected and impressed with a public use; and now, therefore, in order to alleviate the evils now suffered and to prevent their further increase, the growing of cotton and other soil-exhausting plants is hereby regulated.

"Sec. 2. For the purpose of preserving and developing the fertility of the soil; to prevent waste of the soil; to prevent erosion of the soil; to prevent the spread of root rot and to prevent any and all other diseases of plants and soil; and to destroy insects and prevent insect damage; and to preserve the interest of the public and the general welfare, peace, and happiness of the people, and in order to carry out each and every other purpose set out in Section 1 of this act, just as fully as if each of them were fully set out herein, it is hereby declared to be unlawful for any person, association of persons, firm, corporation, or joint stock company, or lessee, or occupant of any separately owned tract of land in the State, or the agent of the owner thereof or any person or persons interested therein to plant, or cultivate, or harvest on the said separately owned tract of land during the year 1932, or during said year 1932, cause to be planted, or cultivated, or harvested thereon, or permit to be planted, or cultivated, or harvested thereon any crop of cotton, or other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, in excess of thirty-three and one-third (33 $\frac{1}{3}$) per cent of the area of such separately owned tract of land in cultivation in planted crops during the crop year 1932, provided, however, that the above provision is not intended to apply or prevent the harvesting of cotton or other plants actually planted, cultivated, and grown during the preceding year.

"The words 'separately owned

tract' shall be held to include any single tract or two or more tracts of land in the same county, owned in fee simple or by tenants in common or for life, or as lessee for a term of years or any other title including a right of possession and/or control for a longer time than one year, and a 'separately owned tract,' as herein defined, shall constitute the unit for determining the per cent of planting as authorized by this act.

"This section shall also apply under the same conditions imposed therein, and the same liabilities and penalties exacted thereby to all crops of cotton or other soil-exhausting plants planted, or cultivated, or harvested in the State in the year 1933.

"Sec. 3. It shall be unlawful for any person, association of persons, firm, corporation, or joint stock company, or lessee, or occupant of any separately owned tract of land in the State, or the agent of the owner thereof, or any person or persons interested therein to plant or cultivate, or harvest cotton or any other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, on any land in this State two years in succession; provided, however, that this section is not intended to apply to any land planted in cotton or other soil-exhausting plants planted during the year 1931.

"Sec. 4. Every person, firm, corporation, or association of persons, or joint stock company, or lessee, or occupant of any separately owned tract of land in the State, or agent of the owner thereof or any person or persons interested therein, who shall plant, or cultivate, or harvest, or permit to be planted, cultivated, or harvested to cotton or any other soil-exhausting plants any land in this State in violation of this act, for each acre of land so planted, or cultivated, or harvested, or permitted to be planted, or cultivated, or harvested in violation of this Act, shall become liable and forfeit to the State and pay into the road and bridge fund of the county or counties respectively where the violation occurs the sum of twenty-five (\$25) dollars for each acre of land so planted, or cultivated, or harvested in violation of this act which may be recovered in the name of the State of Texas, in the district court of any county in the State of Texas

in which such violation or violations have occurred and venue is hereby given to such district courts, and where a violation involves a county line farm the suit may be brought in any county in which any part of said farm is situated.

"Sec. 5. Upon the sworn complaint of any citizen of this State that any part of this act is being, has been or is threatened to be violated, or upon the request of the county judge of any county in this State, or of the Commissioner of Agriculture of this State, it is hereby made the duty of the several county and district attorneys of this State to institute injunction proceedings in the proper courts in the county in which such violation or violations have occurred as above specified in the name of the State as plaintiff, against the persons complained of as defendants to enforce the provisions of this act and collect the penalties provided for herein and to prevent any violation thereof, and the said county and/or district attorney instituting any suit under this act shall ask for an injunction, and if the court finds that the provisions of this act have been violated, shall, without requiring bond, grant said injunction restraining the defendant or defendants from violating the provisions of this act, and the court shall forthwith hear and determine the issues raised by such prayer for injunction, and any such injunction so issued shall not be suspended pending appeal thereon, unless and until final adjudication thereof by the appellate court. In such suit or suits any number of defendants residing within the same county or involving a county line farm may be made parties thereto and the joinder of more than one defendant in the same action shall not be cause to abate said action. All actions brought under this act on motion of attorneys for the State shall have precedence of all other business, civil or criminal, except criminal cases where the defendants are in jail. The fees for representing the State in all proceedings under this act shall be ten per cent (10%) of the amount collected for its violation.

"Sec. 6. In the event the county and/or district attorney fails and/or refuses to perform the duties as required by this act, then, upon the request of the county judge of any

county or the Commissioner of Agriculture of the State of Texas, it shall be the duty of the Attorney General of Texas to carry out said provisions by the institution of said suits as provided herein.

"Sec. 7. It is the intention of this act that all farms owned and/or operated by the State of Texas, or any of its governmental agencies, shall be and are hereby declared to be subject to the provisions of this act.

"Sec. 8. Any and all laws and parts of laws in conflict herewith are hereby expressly repealed.

"Sec. 9. In event any section, subsection, paragraph, sentence or clause or any part of this act shall be held by the courts to be unconstitutional or invalid, then such holding shall not affect the remaining part of this act, and in such an event the remaining part of this act shall be and remain in full force and effect as the express intent of the Legislature.

"Sec. 10. The importance of the subject matter herein contained, and the fact that the laws of Texas are inadequate to carry out the constitutional provisions for the preservation, development and conservation of the soil and the fertility thereof and to preserve the public interest and the general welfare and happiness of the people; the immediate necessity of enacting an adequate law to prevent deterioration, erosion, and loss of fertility of the soil; and to prevent soil and plant diseases and the propagation and spread of harmful insect pests; and to maintain and increase the quality of cotton and other farm plants raised; the limited time in which the Legislature may act, creates an emergency and an imperative public necessity that the constitutional rule which requires bills to be read on three several days be suspended and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is hereby so enacted."

Exhibit B.

(2)

Amend House bill No. 7 by striking out all above the enacting clause and insert in lieu thereof the following:

By Mr. Olsen, Mr. Dale, Mr. Turner, Mr. Engelhard, Mr. Ray, and Mr. Smith of Bastrop:

H. B. No. 7, A bill to be entitled

"An Act declaring that it is mandatory under the Constitution of Texas that the Legislature enact laws to compel the preservation, development and fertility of the soil, preserve the public interest, general welfare and happiness of the people, and that in the exercise of its duty to so preserve and develop the natural resources and promote said general welfare the Legislature declares that the soil and the fertility thereof adapted to raising cotton and other useful plants are the State's most valuable natural resources; that the growing of cotton is an industry of first importance, that the preservation and restoration of the soil and the fertility thereof is essential to the welfare of the people of the State; that the continuous use of land in growing cotton and other soil-exhausting plants without rotation of crops or intervals has caused a large portion of the land of the State serious deterioration of the soil and the fertility thereof, disastrous erosion and loss of soil, spread of soil and/or plant diseases, propagation of harmful insects, making their elimination or control difficult and deterioration of quality and quantity of crops raised, and that like results will spread over other areas unless prevented, and that the results above enumerated have caused a lack of ability of a large percentage of the farmers of the State to meet the obligations due upon their homes, discharge taxes due by them, and injuriously affecting the general welfare of the people, the efficiency of the State government, and that the business of farming has thereby become affected and impressed with a public use, and that in order to alleviate said evils and prevent their further increase, the growing of cotton and other soil-exhausting plants is regulated; providing that in order to preserve and develop the fertility of the soil, to prevent waste and erosion of the soil, to prevent the spread of plant and/or soil diseases, and to destroy insects and prevent insect damage, and to preserve the interest of the public, general welfare, peace and happiness of the people, and to carry out each and every purpose specified it is declared to be unlawful for any person, association of persons, firm, corporation or joint stock company or lessee or occupant of any separately owned tract of land in the State, or the

agent of the owner thereof, or any person or persons interested therein, to plant, cultivate or harvest on said separately owned tract of land during the year 1932, or during said year 1932, to cause to be planted, cultivated or harvested thereon, or permit to be planted, cultivated or harvested thereon any crop of cotton or other soil-exhausting plant except in feed crops for man and domestic animals, or either, in excess of 33 1/3 per cent of the area of such separately owned tract of land in cultivation in planting crops during the year 1932; providing that said act is not intended to apply to prevent the harvesting of cotton or other plants actually planted, cultivated or grown during the preceding year; and further providing that by cultivated lands is meant lands planted in annual crops; defining the words 'separately owned tract'; further providing that said act shall apply under the same conditions therein imposed with the same liabilities and penalties exacted to all crops of cotton or other soil-exhausting plants planted or cultivated or harvested in the State during the year 1933; providing that it shall be unlawful to plant or cultivate or harvest cotton or any other soil-exhausting plant except feed crops for man and domestic animals, or either, on lands of this State two years in succession; providing that for each acre of land so planted or cultivated or harvested or permitted to be planted, cultivated or harvested in violation of this act a liability, forfeiture and penalty of twenty-five dollars (\$25) for each acre is fixed, recoverable by the State of Texas, and payable into the road and bridge fund of the county or counties, respectively, where the violation of this act occurs; fixing venue in the district court; and providing the method of procedure for the institution of said suits, and making it the duty of the several county and district attorneys of the State to institute such proceedings for the enforcement of the provisions of this act and to collect the penalties provided for herein; providing for the granting of injunctions, and that said causes shall have precedence, and that any number of defendants residing in the same county or involving a county line farm may be made parties in the same suit; and providing fees for said attorneys representing the State

of Texas of ten per cent (10%) of the amount collected for violation of this act; further providing that in the event of a failure or refusal of the county and/or district attorneys to perform the duties imposed herein, that the Attorney General of the State of Texas shall, upon the request of the county judge of any county or the Commissioner of Agriculture of the State of Texas, carry out said provisions by the institution of said suits; providing that all State owned and/or operated farms shall come under the provisions of this act; that any and all laws or parts of laws in conflict herewith are hereby expressly repealed; and providing a saving clause in the event any part of this act should be held unconstitutional or invalid; and declaring that in such an event, the remaining part of this act shall remain in full force and effect as the expressed intent of the Legislature, and declaring an emergency."

Exhibit C.

By Mr. Johnson of Dimmit, Mr. Ford, Mr. Giles, Mr. Turner, and Mr. Murphy:

H. C. R. No. —.

Whereas, The Forty-second Legislature of the State of Texas is now in its Second Called Session, having been convened by the Governor of Texas by proclamation and the submission of the following message:

To all to whom these presents shall come:

Whereas, The voice of the people is resounding through the South in a clamor of distress, seeking relief from their gravest agricultural crisis of modern years. Cotton prices are lower than the cost of production, and overproduction threatens an even greater demoralization of the market. Meanwhile, in the background looms the black shadow of soil deterioration, menacing oncoming cotton farmers with the ruinous heritage of worn-out land, such as has already blighted agriculture in older States; and

Whereas, Facing financial ruin, cotton farmers throughout Texas have been holding mass meetings and adding their concerted voices to the rising tide of pleas for legislative relief. Thousands have petitioned the Chief Executive to call a special session for enactment of laws to aid

them, particularly by means of cotton acreage reduction. The welfare of civilization rests upon the shoulders of the farmer, and the burden is ever a trying one. The government should be eager to extend him any reasonable assistance that he might deem necessary. If legislation can help Texas agriculture in its present emergency, I believe it my duty to convoke the Legislature in the interests of the State generally, as well as the tillers of the soil. I have waited and investigated until I have become convinced that a majority of Texas cotton farmers and their legislative representatives desire an emergency law, and I am now ready and glad to act in their behalf.

Now, therefore, I, R. S. Sterling, Governor of the State of Texas, do, by virtue of the authority vested in me by the Constitution and laws of this State, call a Special Session of the Forty-second Legislature to be convened in the city of Austin, Texas, commencing at 12 o'clock noon, on Tuesday, September 8, A. D. 1931, for the following purposes:

1. To enact such legislation as will adequately provide for soil conservation and the alleviation of the conditions of agriculture in Texas. * * *

In testimony whereof, I hereunto sign my name and cause to be impressed hereon the seal of the State of Texas, at Austin, this the 5th day of September, A. D. 1931.

(Seal) R. S. STERLING,
Governor of Texas.

By the Governor:

Jane Y. McCallum,
Secretary of State.

and,

Whereas, It is apparent that the Legislature will enact certain legislation within the scope of the Governor's call, particularly tending to the preservation and conservation of the soil and the fertility thereof; and that in the enactment of such legislation certain restrictions will necessarily be made upon the farming industry of the State of Texas, and which restrictions if not applied to the other areas of the United States engaged in similar farming pursuits, as the growing of cotton and other soil-exhausting plants, will result in a discrimination against the public welfare, peace, happiness and pros-

perity of the people of Texas as compared with the other territory above referred to; and in order to prevent such discrimination it is the sense of the Legislature of the State of Texas that the Legislatures of all other cotton growing States in the United States of America be requested to adopt reciprocal legislation, and to express said thought, this resolution is enacted. Now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That we hereby petition and request all other States of the United States engaged in the growing of cotton and other soil-exhausting plants to speedily consider and enact reciprocal legislation which will eliminate any economical discrimination, and with a resulting effect of a reduction in cotton acreage in the years 1932 and 1933, of not less than fifty per cent (50%) of the area in cotton in said respective States in the year 1931. Be it further

Resolved, That in the event such reciprocal legislation is not so enacted on or before the 20th day of January, A. D. 1932, by a sufficient number of the States as would be effective upon three-fourths (3/4) of the cotton production of the United States, then, and in that event, because of said economical discrimination as would result as aforesaid, we, the members of the Senate and the House of Representatives pledge that we will petition the Governor for a call of the Legislature and attend a call for the purpose of repealing the enactment hereinabove referred to. Be it further

Resolved, That the Secretary of the State of Texas be and is hereby authorized and directed to secure a certified copy of all legislative enactments contemplated and requested in this resolution from each of the cotton growing States of the United States as of the date January 20, A. D. 1932, and to immediately submit said certified copies to the following committee which is hereby constituted and which committee shall be composed of the following: The Governor of the State of Texas, the Lieutenant Governor, the Speaker of the House of Representatives, the Attorney General and the Commissioner of Agriculture; and it shall be the duty of said committee to immediately examine said certified copies and determine from

the season 1930-1931 according to the official statistics of the Agricultural Department of the United States whether or not the reciprocal legislation called for in this resolution has been enacted; and also to immediately give said information to the press, and officially notify each member of the Texas Legislature the result of their finding. Be it further

Resolved, That an authenticated copy of this resolution be forwarded to the Governor, to the presiding officer of the Senate, to the presiding officer of the House of Representatives, and to the Commissioner of Agriculture in each of the cotton growing States.

Exhibit D.

H. C. R. No. —.

Whereas, In the event this Special Session of the Forty-second Legislature enacts legislation for preservation, conservation and development of the soil, and the fertility thereof, and the alleviation of the conditions of agriculture in Texas, and also enacts a House concurrent resolution or other measure requesting other cotton growing States to enact certain reciprocal legislation, it will be to the best interest of the public welfare of the State of Texas that all assistance possible be rendered by the State of Texas to forward said reciprocal legislation. Now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the following committee which is hereby constituted and which shall be composed of the Governor of the State of Texas, the Lieutenant Governor, the Speaker of the House of Representatives, and the Commissioner of Agriculture, is vested with the authority to attend upon the legislative sessions of the cotton-growing States, respectively, while considering such reciprocal legislation, and in the event they cannot attend any or all of the sessions of the different States they are given the further authority and it is made their further duty to appoint from the membership of the Legislature additional official Texas representatives, and it is the sense of the Legislature that such representatives should be chosen so that one of said representatives can attend the Senate branch and one the representative branch, and that such representatives as are

chosen from the memberships of the Legislature shall be, where practicable, chosen equally from the Senate of Texas for Senate representation, and from the House of Texas for House representation; provided, however, that not more than two official representatives for each State are authorized hereby. Be it further

Resolved, That there is hereby appropriated the sum of five thousand dollars (\$5000), or so much thereof as may be necessary, from the contingent fund of the Forty-second Legislature or any Special Session thereof, to defray the actual cash expenses necessarily incurred, to be paid out upon the sworn itemized statement of such representative, to be approved by the Lieutenant Governor and the Speaker of the House.

Exhibit E.

H. C. R. No. —.

Whereas, It is reliably reported that the Federal Farm Board controls, through the Cotton Stabilization Corporation and the American Cotton Co-operative Association an aggregate of more than three million bales of the total carry-over of American cotton of nine million bales; and

Whereas, The Federal Farm Board was created for the purpose of aiding all the cotton growers of the United States; and

Whereas, Practically the entire amount of government money available for cotton from the Federal Farm Board is invested in cotton held by the Cotton Stabilization Corporation and by the American Cotton Co-operative Association; and

Whereas, This vast amount of cotton under the control of a single agency constitutes a menace to the market which prevents private buyers of cotton from making purchases which they would ordinarily make, thereby keeping the market in a depressed and constantly declining condition, and wreaking untold harm upon all the cotton growers of the United States; and

Whereas, The definite lifting of these huge stocks from the immediately available supply would restore the confidence of the trade and of investment buyers, and would greatly alleviate present distressing conditions; be it therefore

Resolved by the House of Representatives, the Senate concurring,

That the Federal Farm Board be formally requested to acquire without delay all of the cotton of the American Cotton Co-operative Association, for the account of the Cotton Stabilization Corporation, and that it then declare that all cotton owned by the Cotton Stabilization Corporation will be held as a stabilization operation until January 1, 1934, and that it will then be disposed of at the rate of two hundred and fifty thousand bales for each following three months' period until the entire stock is sold; and be it further

Resolved, That the Legislatures of all other cotton-growing States be and are hereby urgently requested to adopt resolutions similar to this resolution and take such other action as they may see fit to accomplish the purpose of this resolution, and that a certified copy hereof be forwarded to the Governors, Commissioners of Agriculture and the presiding officers of the Senate and House of all other cotton-growing States; and be it further

Resolved, That a certified copy of these resolutions be forwarded to each Texas member of the National House of Representatives and to the two Senators, and that they be urged to act as a body in conjunction with Representatives and Senators from other cotton-growing States to accomplish the purposes of this resolution.

Exhibit F.

H. C. R. No. —.

Whereas, The growing of cotton is a world-wide industry; and

Whereas, It is highly desirable that the production of cotton should be, in so far as is practicable, adjusted as between said cotton growing countries; and

Whereas, It is well-recognized that the adoption of common practices and customs by various producers of any commodity inure to the benefit of the industry as a whole; be it, therefore,

Resolved by the House of Representatives, the Senate concurring, That the Hon. Herbert Hoover, President of the United States, be respectfully requested to call an international conference of representative cotton producing countries to meet at Washington at the earliest practicable date for the purpose of

considering any possible common action for the benefit of the cotton growing industry, and the economic welfare of the countries involved. Be it further

Resolved, That each cotton growing State of the United States be, and is hereby requested, to likewise petition President Hoover to call said conference, and that a copy of this resolution be sent to the President of the United States and to the Governor, Commissioner of Agriculture, and the presiding officers of the Senate and House of each cotton growing State in the United States.

Exhibit G.

H. B. No. —. By Mr. Hubbard and Mr. Westbrook:

A BILL

To Be Entitled

"An Act requiring that all ginnermen, cotton yard operators, and public warehousemen, as defined by the laws of this State, shall upon the request of the owner of any cotton held or possessed by such ginnermen, cotton yard operators or public warehousemen, draw samples of said cotton and send same to the State Department of Agriculture for classification; authorizing the Commissioner of Agriculture to employ public cotton classers licensed as required by law; authorizing the Commissioner of Agriculture to issue certificates showing grade and staple of samples of cotton and to prescribe such forms of reports and records and to do such other things as he may deem proper for carrying out the purposes of this law; providing for cooperation with the United States Department of Agriculture and the A. and M. College; appropriating fifty thousand dollars (\$50,000); providing penalties; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Declaration of Purpose.

It is declared to be the purpose of the Legislature of the State of Texas to do everything in its power to make it possible for the cotton growers of the State to market their cotton on the basis of the real value of each individual bale as distinguished from marketing it on the "hog round" basis, and to make it possible for

them to secure the maximum amount of money as a loan on their cotton in order that they may be able to withhold a part of it from the market during periods of depressed prices. It is a matter of common knowledge that the "hog round" buying of cotton has brought about a serious deterioration in the quality of the cotton grown in the State of Texas, and it is also a matter of common knowledge that the cotton growers of the State do not have available adequate facilities for obtaining unbiased information as to the authentic value of their cotton, and consequently, are not able to merchandise it advantageously. It is believed that any legislation which will provide these facilities will stimulate the production of better cotton and will ameliorate the existing distressed condition of cotton farmers, enabling them to borrow a larger percentage of its values and with greater safety to banks and others extending credit against cotton.

Sec. 2. All public warehousemen, and cotton yard operators, as defined by the laws of this State who have in storage or in their possession any cotton, and all ginner as defined by the laws of this State, shall hereafter be required, when asked by the owner of any cotton held by them, to draw samples of cotton and send same to the nearest public cotton classing station established under this act by the Commissioner of Agriculture.

Sec. 3. No public warehouseman or ginner shall be entitled to any additional fee or charge for drawing such samples or for sending them to a public cotton classer.

Sec. 4. Any public warehouseman or operator of a public cotton yard, or any ginner who fails and refuses to send a sample of cotton in his possession to a public cotton classer as provided by this law when such a request has been made by the owners of such cotton, or who fails to comply with any of the rules and/or regulations hereunder described by the Commissioner of Agriculture of Texas, shall have his license cancelled: The procedure to be followed in the event of such violation shall be in accordance with that prescribed by Article 5569, Revised Civil Statutes, 1925.

Sec. 5. The Commissioner of Agriculture of Texas is hereby authorized to employ a sufficient

number of licensed public cotton classers to carry out the purposes of this law and to station them at the most strategic locations at various points in this State. He is further authorized to rent or lease such sample rooms and to purchase such sample tables and other necessary equipment as may be deemed, in his judgment, required to carry out the purposes of this act. A charge of not to exceed twenty-five cents (25) per bale to be determined by the Commissioner of Agriculture of Texas shall be made and shall be collected in such method as may be prescribed by the Commissioner of Agriculture. All money so collected by them shall be paid over to the Commissioner of Agriculture and by him paid over to the State Treasurer and shall be placed in the general fund of the State.

Sec. 6. The Commissioner of Agriculture of Texas is hereby authorized to prescribe all forms of receipts, certificates and records of whatever description necessary for the carrying into effect the provisions of this law. He shall prescribe such rules and regulations as he shall deem proper and necessary, not in conflict with any provisions hereof, and shall set up the machinery necessary to inform public warehousemen and ginner of the names and addresses of the public cotton classers nearest to their places of business.

Sec. 7. It shall be the duty of the Commissioner of Agriculture of Texas to seek the cooperation of the United States Department of Agriculture and the A. and M. College of Texas to the end that the purposes of this act shall be most advantageously carried out.

Sec. 8. The sum of fifty thousand dollars (\$50,000) is hereby appropriated out of any moneys in the general funds of the State of Texas not otherwise appropriated for the purpose of carrying out the provisions of this law.

Sec. 9. This law shall be cumulative of any laws now on the statute books with reference to public cotton classers, public warehousemen and ginner, except in so far as same may be in conflict with the provisions of this law. Where this law conflicts with the provisions of any law now on the statute books, such prior law is hereby repealed.

Sec. 10. The fact that the cotton raising farmers of the State of Texas are now in distressed financial condition and that there are now no adequate facilities available whereby they may become informed by the authentic classification of their product; and the further fact that such information will be of great value to them in marketing their products and securing loans against it; and that such information will stimulate and encourage the raising of better quality of cotton, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days shall be suspended and said rule is hereby suspended, and this act is to take effect and be in force from and after its passage, and it is so enacted.

Exhibit H.

H. C. R. No. —.

Whereas, the preponderance of the world's gold supply is at present in the United States thereby making it possible for this country to extend credits almost without limit, and

Whereas, Those countries which are now eager to purchase cotton and other agricultural commodities from us do not have either the gold to pay for them nor, on account of the stagnation in international trade, the credits normally accruing from the sale or exchange with us of their goods, and

Whereas, The surplus of agricultural commodities particularly cotton, has reached proportions that it is ruining our producers and rapidly destroying all other values even to the extent of impairing the ability of the government itself to function; and

Whereas, The most orderly and proper means for remedying this alarming condition is to get these surpluses into consumption, be it, therefore

Resolved by the House of Representatives of the Texas Legislature, the Senate concurring, That His Excellency, Herbert Hoover, President of the United States, be respectfully urged to take any and all steps within his power to see that credits totalling not less than one billion dollars (\$1,000,000,000) be extended in the form of commodity loans to foreign nations, said loans to be at a low rate of interest and to

extend for a sufficient period of time to permit international trade to become normal, and the proceeds of said loans to be limited to the purchase of American agricultural commodities through normal commercial channels, and, be it further

Resolved, That each of the other cotton growing States of the United States be requested to likewise petition President Hoover, and that a copy of this resolution be forwarded to each Texas member of the National Congress and Senate and that they be urged to act as a body in conjunction with Representatives and Senators from other cotton growing States to accomplish the purposes of this resolution, and that a copy hereof be forwarded to the Governor, Commissioners of Agriculture and the presiding officers of the Senate and House of each cotton growing State in the United States.

CONSIDERATION OF HOUSE BILL NO. 7.

The Speaker laid before the Committee, for consideration at this time,

H. B. No. 7, A bill to be entitled "An Act declaring the soil to be a natural resource of the State; declaring it is a public right and a public duty and made mandatory upon the Legislature of the State of Texas under Section 59 of Article 16 of the Constitution of the State of Texas to enact laws to compel the preservation and conservation of the fertility of the soil; providing that for the purposes of preserving and conserving the soil, preventing waste thereof and erosion of the soil, and to aid in the eradication of, and to prevent the spread of, root rot and all other diseases of the soil, it shall be unlawful for any person, association of persons, firm, corporation or joint stock company, during the year 1932, to plant any cotton seed for the land in excess of thirty-three and one-third per cent (33 1/3%) of the area thereof in cultivation during the year 1931; and to make it unlawful for any person, association of persons, firm, corporation or joint stock company during the year 1933, to plant any cotton seed for the purpose of raising cotton on any land in excess of fifty per cent (50%) of the area thereof in cultivation during the year 1932, etc., and declaring an emergency."

Mr. Johnson of Dimmit offered the

following (committee) amendment to the bill:

Amend House bill No. 7 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. It is hereby declared by the Legislature of the State of Texas that it is made mandatory upon the Legislature of the State of Texas, under the Constitution of the State, to enact laws to compel the preservation and development of the soil and the fertility thereof and to preserve the public interest and the general welfare and happiness of the people and in the exercise of the duty to preserve and develop the natural resources of the State and promote the general welfare of the people, this act is passed.

"The Legislature declares:

"a. The most valuable natural resource of the State is its soil and the fertility thereof adapted to the raising of cotton and other useful plants;

"b. The growing of cotton in the State is an industry of first importance;

"c. The preservation and restoration of the soil and the fertility of the soil is essential to the welfare of the people of the State;

"d. The continuous use of land for the growing of cotton and other soil-exhausting plants, without rotation of crops, or without intervals during which intervals cotton and/or other soil-exhausting plants are not planted has, as to much of the land of the State, caused:

"(1) Serious deterioration of the soil and the fertility thereof;

"(2) Disastrous erosion of the land and loss of fertile soil;

"(3) The spread over wide areas of root rot and other soil and/or plant diseases;

"(4) The propagation of boll weevil, cotton flea, and other harmful insects, and made their elimination or control difficult;

"(5) Deterioration of the quality and quantity of the cotton and other plants raised.

"That like results will follow to the other cotton-raising areas unless prevented by this legislation; that the deterioration of the soil, and of the fertility of the soil, and of the loss of the soil, the presence of soil and plant diseases and harmful insects, and the deterioration in the

quality and a reduction in the quantity per acre of the cotton and other plants raised has resulted in lack of ability on the part of a very large percentage of the farmers of the State to meet the obligations due upon their homes, and/or to discharge the taxes due to the State and/or counties, and/or other political subdivisions, whereby the general welfare of the people is injuriously affected and the efficiency of the State government greatly impaired, and the business of farming has thereby become affected and impressed with a public use; and now, therefore, in order to alleviate the evils now suffered and to prevent their further increase, the growing of cotton and other soil-exhausting plants is hereby regulated.

"Sec. 2. For the purpose of preserving and developing the fertility of the soil; to prevent waste of the soil; to prevent erosion of the soil; to prevent the spread of root rot and to prevent any and all other diseases of plants and soil; and to destroy insects and prevent insect damage; and to preserve the interest of the public and the general welfare, peace, and happiness of the people, and in order to carry out each and every other purpose set out in Section 1 of this act, just as fully as if each of them were fully set out herein, it is hereby declared to be unlawful for any person, association of persons, firm, corporation, or joint stock company, or lessee, or occupant of any separately owned tract of land in the State, or the agent of the owner thereof or any person or persons interested therein to plant, or cultivate, or harvest on the said separately owned tract of land during the year 1932, or during said year 1932 cause to be planted, or cultivated, or harvested thereon, or permit to be planted, or cultivated, or harvested thereon any crop of cotton, or other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, in excess of thirty-three and one-third (33 $\frac{1}{3}$) per cent of the area of such separately owned tract of land in cultivation in planted crops during the crop year 1932, provided, however, that the above provision is not intended to apply or prevent the harvesting of cotton or other plants actually planted, cultivated, and grown during the preceding year.

"The words 'separately owned

tract' shall be held to include any single tract or two or more tracts of land in the same county, owned in fee simple or by tenants in common or for life, or as lessee for a term of years or any other title including a right of possession and/or control for a longer time than one year, and a 'separately owned tract,' as herein defined, shall constitute the unit for determining the per cent of planting as authorized by this act.

"This section shall also apply under the same conditions imposed therein, and the same liabilities and penalties exacted thereby to all crops of cotton or other soil-exhausting plants planted, or cultivated, or harvested in the State in the year 1933.

"Sec. 3. It shall be unlawful for any person, association of persons, firm, corporation, or joint stock company, or lessee, or occupant of any separately owned tract of land in the State, or the agent of the owner thereof, or any person or persons interested therein to plant or cultivate, or harvest cotton or any other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, on any land in this State two years in succession; provided, however, that this section is not intended to apply to any land planted in cotton or other soil-exhausting plants planted during the year 1931.

"Sec. 4. Every person, firm, corporation, or association of persons, or joint stock company, or lessee, or occupant of any separately owned tract of land in the State, or agent of the owner thereof or any person or persons interested therein, who shall plant, or cultivate, or harvest, or permit to be planted, cultivated, or harvested to cotton or any other soil-exhausting plants any land in this State in violation of this act, for each acre of land so planted, or cultivated, or harvested, or permitted to be planted, or cultivated, or harvested in violation of this act, shall become liable and forfeit to the State and pay into the road and bridge fund of the county or counties respectively where the violation occurs the sum of twenty-five dollars (\$25) for each acre of land so planted, or cultivated, or harvested in violation of this act, which may be recovered in the name of the State of Texas, in the district court of any county in the State of Texas in which such violation or violations have occurred

and venue is hereby given to such district courts, and where a violation involves a county line farm the suit may be brought in any county in which any part of said farm is situated.

"Sec. 5. Upon the sworn complaint of any citizen of this State that any part of this act is being, has been or is threatened to be violated, or upon the request of the county judge of any county in this State, or of the Commissioner of Agriculture of this State, it is hereby made the duty of the several county and district attorneys of this State, to institute injunction proceedings in the proper courts in the county in which such violation or violations have occurred as above specified in the name of the State as plaintiff, against the persons complained of as defendants to enforce the provisions of this act and collect the penalties provided for herein and to prevent any violation thereof, and the said county and/or district attorney instituting any suit under this act shall ask for an injunction, and if the court finds that the provisions of this act have been violated shall without requiring bond grant said injunction restraining the defendant or defendants from violating the provisions of this act, and the court shall forthwith hear and determine the issues raised by such prayer for injunction, and any such injunction so issued shall not be suspended pending appeal thereon unless and until final adjudication thereof by the appellate court. In such suit or suits any number of defendants residing within the same county or involving a county line farm may be made parties thereto and the joinder of more than one defendant in the same action shall not be cause to abate said action. All actions brought under this act on motion of attorneys for the State shall have precedence of all other business, civil or criminal, except criminal cases where the defendants are in jail. The fees for representing the State in all proceedings under this act shall be ten (10) per cent of the amount collected for its violation.

"Sec. 6. In the event the county and/or district attorney fails and/or refuses to perform the duties as required by this act, then, upon the request of the county judge of any county or the Commissioner of Agriculture of the State of Texas, it

shall be the duty of the Attorney General of Texas to carry out said provisions by the institution of said suits as provided herein.

"Sec. 7. It is the intention of this act that all farms owned and/or operated by the State of Texas, or any of its governmental agencies, shall be and are hereby declared to be subject to the provisions of this act.

"Sec. 8. Any and all laws and parts of laws in conflict herewith are hereby expressly repealed.

"Sec. 9. In event any section, subsection, paragraph, sentence or clause or any part of this act shall be held by the courts to be unconstitutional or invalid, then such holding shall not affect the remaining part of this act, and in such event the remaining part of this act shall be and remain in full force and effect as the express intent of the Legislature.

"Sec. 10. The importance of the subject matter herein contained; and the fact that the laws of Texas are inadequate to carry out the constitutional provisions for the preservation, development, and conservation of the soil and the fertility thereof and to preserve the public interest and the general welfare and happiness of the people; the immediate necessity of enacting an adequate law to prevent deterioration, erosion, and loss of fertility of the soil; and to prevent soil and plant diseases and the propagation and spread of harmful insect pests; and to maintain and increase the quality of cotton and other farm products raised; the limited time in which the Legislature may act, creates an emergency and an imperative public necessity that the constitutional rule which requires bills to be read on three several days be suspended and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is hereby so enacted."

Mr. Giles offered the following amendment to the (committee) amendment:

Amend committee amendment to House bill No. 7, page 2, chapter 2, by striking out lines 20, 21, 22, 23, and 24, (revised mimeograph copy) the words:

"For the purpose of preserving and developing the fertility of the soil; to prevent waste of the soil; to prevent erosion of the soil; to prevent the spread of root rot and to prevent

any and all other diseases of plants and soil; and to destroy insects and prevent insect damage"; and inserting in lieu thereof the following: "For the purpose of preserving and developing the fertility of the soil; to prevent waste of the soil; to prevent erosion of the soil; to more effectively prevent the spread of root rot and all other diseases of plants and soil; and to more effectively destroy insects and aid in preventing insect damage";

The amendment was adopted.

Mr. Satterwhite offered the following amendment to the (committee) amendment:

Amend committee amendment No. 1, Section 2, page 3, lines 4 and 5, by striking out the words and figures "thirty-three and one-third (33 1/3)" and substitute in lieu thereof the following: "twenty-five (25)."

Mr. Kennedy offered the following substitute for the amendment by Mr. Satterwhite:

Substitute to Satterwhite amendment to committee amendment No. 1, section 1, page 3, lines 4 and 5, by striking out the words and figures "thirty-three and one-third" and substitute in lieu thereof the following: "fifty (50)."

(Signed) FRED H. MINOR,
Chairman of the Committee of the Whole House.

PROVIDING FOR COMMITTEE TO NOTIFY GOVERNOR.

Mr. Weinert moved that a committee of five members be appointed to present to the Governor a resolution by Mr. Weinert and Mr. Barron, heretofore adopted, requesting the Governor to submit the subject of taxation.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Weinert, Barron, Satterwhite, Gilbert and Savage.

RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 4, Requesting the Governor to submit certain subject for legislation.

RECESS.

On motion of Mr. Adams of Jasper

the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

EXTENDING THE PRIVILEGES OF THE FLOOR.

Mr. Gilbert offered the following resolution:

Whereas, There is now present at the bar of the House a distinguished committee of citizens from our neighboring State of Arkansas, which said committee is the personal representative of Governor Parnell of Arkansas, sent to Texas and to the Texas Legislature from and by the Governor of Arkansas for the purpose of discussing with the Legislature the cotton situation as it exists in the cotton-growing States; and

Whereas, The said committee has appeared before the State Senate as special guests; and

Whereas, It is the sense of this House to extend to them every courtesy and consideration; therefore, be it

Resolved by the House of Representatives, That they extend to said committee the privileges of the floor of the House, and that such of them who desire to do so, be invited to address the House.

GILBERT,
JONES of Atascosa,
WALKER,
ADKINS,
HOLLOWAY,
JOHNSON of Morris.
ALSUP,
DANIEL.

The resolution was read second time, and was adopted.

IN COMMITTEE OF THE WHOLE HOUSE.

(Mr. Minor in the chair.)

On motion of Mr. Rogers, the House at 2:10 o'clock p. m. resolved itself into a Committee of the Whole House for the purpose of considering bills relative to the production of cotton.

IN THE HOUSE.

(Mr. Minor in the chair.)

At 5 o'clock p. m., Mr. Minor, Chairman of the Committee of the

Whole House, reported to the House that the Committee desired to rise, report progress and ask leave of the House to sit again at 9 o'clock a. m. tomorrow.

The committee also reported the following proceedings:

CONSIDERATION OF HOUSE BILL NO. 7.

The Committee of the Whole House resumed consideration of pending business, same being House bill No. 7, relative to the reduction of cotton acreage, with committee amendment by Mr. Johnson of Dimmit, amendment by Mr. Satterwhite to the amendment and substitute by Mr. Kennedy for the amendment by Mr. Satterwhite pending.

Mr. Scott moved the previous question on the amendment by Mr. Satterwhite and the pending substitute amendment by Mr. Kennedy, and the motion was duly seconded.

The question recurring on the motion for the main question, it was lost.

(Mr. Sanders in the chair.)

Mr. Petsch moved the previous question on the pending amendment to the substitute, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Question recurring on the substitute amendment by Mr. Kennedy, yeas and nays were demanded.

The substitute amendment was lost by the following vote:

Yeas—46.

Adamson.	Hughes.
Akin.	Keller.
Baker.	Kennedy.
Beck.	Lee.
Bond.	Lemens.
Bounds.	Lockhart.
Brice.	Long.
Burns of Walker.	McGregor.
Carpenter.	Mathis.
DeWolfe.	Moffett.
Elliott.	Moore.
Engelhard.	Petsch.
Farmer.	Richardson.
Finn.	Rountree.
Fisher.	Savage.
Graves.	Smith of Bastrop.
Greathouse.	Sparkman.
Hanson.	Stephens.
Hardy.	Van Zandt.
Harman.	Vaughan.
Hefley.	Veatch.
Herzik.	Wagstaff.
Howsley.	Weinert.

Nays—69.

Adams of Jasper.	Jackson.
Adkins.	Johnson
Alsup.	of Dimmit.
Anderson.	Johnson of Morris.
Barron.	Jones of Shelby.
Boyd.	Jones of Atascosa.
Brooks.	Justiss.
Bryant.	Lilley.
Burns	McCombs.
of McCulloch.	McGill.
Claunch.	Magee.
Coltrin.	Metcalfe.
Cox of Limestone.	Munson.
Cunningham.	Murphy.
Dale.	Nicholson.
Daniel.	Olsen.
Davis.	Ramsey.
Dodd.	Ratliff.
Donnell.	Ray.
Dowell.	Rogers.
Dwyer.	Satterwhite.
Forbes.	Scott.
Ford.	Shelton.
Fuchs.	Sherrill.
Gilbert.	Smith of Wood.
Giles.	Stevenson.
Goodman.	Sullivant.
Harrison	Terrell
of El Paso.	of Cherokee.
Hatchitt.	Towery.
Hill.	Turner.
Hines.	Walker.
Holder.	West of Coryell.
Holland.	Westbrook.
Holloway.	Wiggs.
Hoskins.	Young.
Hubbard.	

Present—Not Voting.

Coombes.

Absent.

Adams of Harris.	Leonard.
Bradley.	Martin.
Cox of Lamar.	O'Quinn.
Dunlap.	Patterson.
Duwall.	Pope.
Ferguson.	Reader.
Grogan.	Sanders.
Harrison	Strong.
of Waller.	Tarwater.
Johnson	Terrell
of Dallam.	of Val Verde.
Laird.	West of Cameron.
Lasseter.	

Absent—Excused.

Albritton.	Mehl.
Bedford.	Morse.
Caven.	Steward.
Farrar.	Warwick.
Kayton.	Wyatt.
McDougald.	

Question then recurring on the amendment by Mr. Satterwhite, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—47.

Adkins.	Jones of Atascosa.
Boyd.	Justiss.
Brooks.	Keller.
Bryant.	Lemens.
Claunch.	Lilley.
Cox of Limestone.	Long.
Cunningham.	McGill.
Dale.	Magee.
Davis.	Mathis.
Dodd.	Munson.
Dwyer.	Olsen.
Finn.	Ramsey.
Fisher.	Ratliff.
Ford.	Richardson.
Fuchs.	Rogers.
Grogan.	Satterwhite.
Hatchitt.	Scott.
Hill.	Smith of Wood.
Hines.	Sullivant.
Holder.	Terrell
Holland.	of Cherokee.
Hubbard.	Towery.
Jackson.	Westbrook.
Johnson of Morris.	Wiggs.

Nays—71.

Adams of Jasper.	Hefley.
Adamson.	Herzik.
Akin.	Hoskins.
Alsup.	Howsley.
Anderson.	Hughes.
Baker.	Johnson
Barron.	of Dimmit.
Beck.	Jones of Shelby.
Bond.	Kennedy.
Bounds.	Lee.
Brice.	Lockhart.
Burns of Walker.	McCombs.
Burns	McGregor.
of McCulloch.	Metcalfe.
Carpenter.	Moffett.
Coltrin.	Moore.
Cox of Lamar.	Murphy.
Daniel.	Nicholson.
DeWolfe.	Petsch.
Donnell.	Ray.
Dowell.	Rountree.
Elliott.	Savage.
Engelhard.	Shelton.
Farmer.	Sherrill.
Forbes.	Smith of Bastrop.
Gilbert.	Sparkman.
Giles.	Stephens.
Goodman.	Stevenson.
Graves.	Tarwater.
Greathouse.	Turner.
Hanson.	Van Zandt.
Hardy.	Vaughan.
Harman.	Veatch.
Harrison	Wagstaff.
of El Paso.	Walker.
Harrison of Waller.	

Weinert. Young.
West of Coryell.
Present—Not Voting.

Coombes.

Absent.

Adams of Harris.	Martin.
Bradley.	O'Quinn.
Dunlap.	Patterson.
Duvall.	Pope.
Ferguson.	Reader.
Holloway.	Sanders.
Johnson	Strong.
of Dallam.	Terrell
Laird.	of Val Verde.
Lasseter.	West of Cameron.
Leonard.	

Absent—Excused.

Albritton.	Mehl.
Bedford.	Morse.
Caven.	Steward.
Farrar.	Warwick.
Kayton.	Wyatt.
McDougald.	

Reason for Vote.

It was necessary for me to leave the Hall for a few minutes and while absent I missed a vote. I wish to register my vote by this means as favoring the 25% of cultivated area rather for 50% of the cultivated area in cotton.

STRONG.

Mr. Johnson of Dimmit offered the following amendment to the (committee) amendment:

Amend committee amendment No. 1, House bill No. 7, page 4, section 5, line 28, by adding after the word "violated" the following words "or that violation is threatened or about to take place the court."

The amendment was adopted.

Mr. Metcalfe offered the following amendment to the (committee) amendment:

Amend committee amendment No. 1, page 3, lines 23 to 32, by striking out all of Section 3, and renumber subsequent sections accordingly.

Mr. Johnson of Dimmit moved to table the amendment by Mr. Metcalfe.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—77.

Adams of Jasper.	Boyd.
Adamson.	Claunch.
Adkins.	Coltrin.
Akin.	Cox of Lamar.
Barron.	Cox of Limestone.
Bounds.	Cunningham.

Dale.	Lilley.
Dodd.	McGregor.
Donnell.	Magee.
Dowell.	Moffett.
Dwyer.	Moore.
Engelhard.	Munson.
Finn.	Murphy.
Fisher.	Olsen.
Forbes.	Petsch.
Ford.	Ramsey.
Fuchs.	Ratliff.
Gilbert.	Ray.
Giles.	Richardson.
Goodman.	Rountree.
Graves.	Savage.
Harman.	Scott.
Hatchitt.	Shelton.
Hefley.	Smith of Bastrop.
Hines.	Sparkman.
Holder.	Stephens.
Holland.	Strong.
Howsley.	Sullivan.
Hubbard.	Tarwater.
Hughes.	Towery.
Johnson	Turner.
of Dimmit.	Van Zandt.
Jones of Shelby.	Veatch.
Jones of Atascosa.	Wagstaff.
Justiss.	Weinert.
Kennedy.	West of Coryell.
Lee.	Westbrook.
Lemens.	Wiggs.
Leonard.	Young.

Nays—35.

Alsup.	Harrison
Anderson.	of Waller.
Baker.	Herzik.
Bond.	Holloway.
Brice.	Johnson of Morris.
Brooks.	Keller.
Bryant.	Laird.
Burns of Walker.	Lockhart.
Burns	McCombs.
of McCulloch.	McGill.
Coombes.	Mathis.
Daniel.	Metcalfe.
DeWolfe.	Rogers.
Elliott.	Satterwhite.
Farmer.	Smith of Wood.
Greathouse.	Stephens.
Grogan.	Terrell
Harrison	of Cherokee.
of El Paso.	Vaughan.
	West of Cameron.

Present—Not Voting.

Beck.

Absent.

Adams of Harris.	Hanson.
Bradley.	Hardy.
Carpenter.	Hill.
Davis.	Hoskins.
Dunlap.	Jackson.
Duvall.	Johnson
Ferguson.	of Dallam.

Lasseter.	Reader.
Long.	Sanders.
Martin.	Sherrill.
Nicholson.	Terrell
O'Quinn.	of Val Verde.
Patterson.	Walker.
Pope.	

Absent—Excused.

Albritton.	Mehl.
Bedford.	Morse.
Caven.	Steward.
Farrar.	Warwick.
Kayton.	Wyatt.
McDougald.	

Mr. Giles offered the following amendment to the (committee) amendment:

Amend committee amendment No. 1, page 3, revised mimeographed copy, Section 3, line 32, by adding after "1931," the following: "Provided further, that this section is not intended to apply or prevent the harvesting of cotton or other plants actually planted, cultivated and grown during any preceding year."

GILES,
JOHNSON of Dimmit.

The amendment was adopted.

Mr. Johnson of Dimmit offered the following amendment to the (committee) amendment:

Amend House bill No. 7, Section 3, line 30, by adding after the word "apply" the following: "during 1932."

GILES,
JOHNSON of Dimmit.

The amendment was adopted.

Question—Shall the (committee) amendment be adopted?

At 5 o'clock p. m., Mr. Hubbard moved that the Committee rise, report progress, and ask leave of the House to sit again at 9 o'clock a. m. tomorrow.

The motion prevailed.

(Signed) FRED H. MINOR,
Chairman of the Committee of the Whole House.

(Speaker in the chair.)

MOTION TO RE-REFER.

Mr. McCombs moved that House bills Nos. 31 and 32 be withdrawn from the Committee on Agriculture and referred to the Committee on Judiciary.

On motion of Mr. Greathouse, the motion to refer was tabled.

BILL ORDERED NOT PRINTED.

On motion of Mr. Beck, House bill No. 35 was ordered not printed.

HOUSE BILL NO. 35 ON SECOND READING.

On motion of Mr. Beck (by unanimous consent) the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 35, A bill to be entitled "An Act to amend Subdivision (b) of Section 3 of House bill No. 239, enacted by the Forty-second Legislature of Texas, Regular Session, extending the time for the holding of the election provided for therein and providing the same may be held at any any time prior to December 31, 1935, and declaring an emergency."

Mr. Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 35 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Adams of Jasper.	Fisher.
Adamson.	Forbes.
Adkins.	Ford.
Baker.	Fuchs.
Barron.	Gilbert.
Beck.	Giles.
Bounds.	Goodman.
Boyd.	Grogan.
Brice.	Hanson.
Brooks.	Hardy.
Bryant.	Harman.
Burns of Walker.	Harrison
Burns	of El Paso.
of McCulloch.	Harrison
Carpenter.	of Waller.
Claunch.	Hatchitt.
Coltrin.	Hefley.
Coombes.	Herzik.
Cox of Lamar.	Hines.
Cox of Limestone.	Holder.
Cunningham.	Holland.
Dale.	Holloway.
Davis.	Hoskins.
DeWolfe.	Howsley.
Dodd.	Hubbard.
Donnell.	Hughes.
Dunlap.	Johnson
Elliott.	of Dallam.
Engelhard.	Johnson
Farmer.	of Dimmit.
Finn.	Johnson of Morris.

Jones of Atascosa.	Richardson.
Justiss.	Rogers.
Keller.	Rountree.
Kennedy.	Sanders.
Laird.	Satterwhite.
Lee.	Savage.
Leonard.	Scott.
Lilley.	Sherrill.
Lockhart.	Smith of Wood.
McCombs.	Stevenson.
McGill.	Strong.
Magee.	Sullivant.
Mathis.	Tarwater.
Metcalfe.	Towery.
Moffett.	Turner.
Moore.	Van Zandt.
Munson.	Vaughan.
Murphy.	Veatch.
Olsen.	Wagstaff.
Petsch.	Walker.
Ramsey.	Weinert.
Ratliff.	West of Cameron.
Ray.	Westbrook.
Reader.	Young.

Absent.

Adams of Harris.	Long.
Akin.	McGregor.
Alsup.	Martin.
Anderson.	Nicholson.
Bond.	O'Quinn.
Bradley.	Patterson.
Daniel.	Pope.
Dowell.	Shelton.
Duvall.	Smith of Bastrop.
Dwyer.	Sparkman.
Ferguson.	Stephens.
Graves.	Terrell
Greathouse.	of Cherokee.
Hill.	Terrell
Jackson.	of Val Verde.
Jones of Shelby.	West of Coryell.
Lasseter.	Wiggs.
Lemens.	

Absent—Excused.

Albritton.	Mehl.
Bedford.	Morse.
Caven.	Steward.
Farrar.	Warwick.
Kayton.	Wyatt.
McDougald.	

The Speaker then laid House bill No. 35 before the House on its second reading and passage to engrossment. The bill was read second time.

Mr. Coombes offered the following amendment to the bill:

Amend House bill No. 35, line 21, page 3, of the multigraphed bill, by adding after Section 1, the following: "and provided further, that prior to the holding of such election, the pre-election directors shall not

have power to create debts or contractual obligations against the district."

The amendment was adopted.

House bill No. 35 was then passed to engrossment.

HOUSE BILL NO. 35 ON THIRD READING.

The Speaker then laid House bill No. 35 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—101.

Adams of Jasper.	Hefley.
Adamson.	Herzik.
Adkins.	Hines.
Akin.	Holder.
Alsup.	Holland.
Baker.	Holloway.
Barron.	Hoskins.
Beck.	Howsley.
Bounds.	Hubbard.
Boyd.	Hughes.
Brice.	Johnson
Brooks.	of Dallam.
Bryant.	Johnson
Burns of Walker.	of Dimmit.
Burns	Jones of Atascosa.
of McCulloch.	Justiss.
Carpenter.	Keller.
Claunch.	Kennedy.
Coltrin.	Laird.
Coombes.	Lee.
Cox of Lamar.	Leonard.
Cox of Limestone.	Lilley.
Cunningham.	Lockhart.
Davis.	McCombs.
Dodd.	McGill.
Donnell.	Magee.
Dowell.	Mathis.
Dunlap.	Moffett.
Dwyer.	Moore.
Elliott.	Munson.
Engelhard.	Murphy.
Farmer.	Petsch.
Finn.	Ratliff.
Fisher.	Ray.
Forbes.	Reader.
Ford.	Richardson.
Fuchs.	Rountree.
Gilbert.	Sanders.
Giles.	Satterwhite.
Goodman.	Savage.
Greathouse.	Sherrill.
Grogan.	Smith of Wood.
Hanson.	Sparkman.
Hardy.	Stephens.
Harman.	Stevenson.
Harrison	Strong.
of El Paso.	Sullivant.
Hatchitt.	Tarwater.

Towery.	Wagstaff.
Turner.	Walker.
Van Zandt.	Weinert.
Vaughan.	West of Cameron.
Veatch.	

Absent.

Adams of Harris.	Martin.
Anderson.	Metcalfe.
Bond.	Nicholson.
Bradley.	Olsen.
Dale.	O'Quinn.
Daniel.	Patterson.
DeWolfe.	Pope.
Duvall.	Ramsey.
Ferguson.	Rogers.
Graves.	Scott.
Harrison	Shelton.
of Waller.	Smith of Bastrop.
Hill.	Terrell
Jackson.	of Cherokee.
Johnson of Morris.	Terrell
Jones of Shelby.	of Val Verde.
Lasseter.	West of Coryell.
Lemens.	Westbrook.
Long.	Wiggs.
McGregor.	Young.

Absent—Excused.

Albritton.	Mehl.
Bedford.	Morse.
Caven.	Steward.
Farrar.	Warwick.
Kayton.	Wyatt.
McDougald.	

BILL ORDERED NOT PRINTED.

On motion of Mr. Towery, House bill No. 27 was ordered not printed.

RECESS.

Mr. Holder moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Keller moved that the House recess to 8 o'clock p. m. today.

Question first recurring on the motion by Mr. Keller, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—33.

Akin.	Greathouse.
Alsup.	Harrison
Barron.	of El Paso.
Bounds.	Howsley.
Burns of Walker.	Johnson
Carpenter.	of Dallam.
Dodd.	Keller.
Dwyer.	Kennedy.
Elliott.	Leonard.
Finn.	McCombs.
Forbes.	Mathis.
Ford.	Munson.

Petsch.
Ray.
Richardson.
Rountree.
Sherrill.
Smith of Wood.

Strong.
Sullivant.
Veatch.
Wagstaff.
Young.

Nays—69.

Adams of Jasper.	Holloway.
Adamson.	Hoskins.
Adkins.	Hughes.
Baker.	Johnson
Beck.	of Dimmit.
Boyd.	Jones of Atascosa.
Brice.	Justiss.
Brooks.	Laird.
Bryant.	Lee.
Claunch.	Lilley.
Coltrin.	McGill.
Coombes.	Magee.
Cox of Lamar.	Moffett.
Dale.	Moore.
Davis.	Murphy.
DeWolfe.	Olsen.
Donnell.	O'Quinn.
Dowell.	Patterson.
Engelhard.	Ratliff.
Farmer.	Reader.
Fisher.	Rogers.
Fuchs.	Satterwhite.
Gilbert.	Sparkman.
Giles.	Stephens.
Goodman.	Stevenson.
Grogan.	Tarwater.
Hanson.	Towery.
Hardy.	Turner.
Harman.	Van Zandt.
Hatchitt.	Vaughan.
Hefley.	Walker.
Herzik.	Weinert.
Hines.	West of Coryell.
Holder.	West of Cameron.
Holland.	Westbrook.

Absent.

Adams of Harris.	Lasseter.
Anderson.	Lemens.
Bond.	Lockhart.
Bradley.	Long.
Burns	McGregor.
of McCulloch.	Martin.
Cox of Limestone.	Metcalfe.
Cunningham.	Nicholson.
Daniel.	Pope.
Dunlap.	Ramsey.
Duvall.	Sanders.
Ferguson.	Savage.
Graves.	Scott.
Harrison	Shelton.
of Waller.	Smith of Bastrop.
Hill.	Terrell
Hubbard.	of Cherokee.
Jackson.	Terrell
Johnson of Morris.	of Val Verde.
Jones of Shelby.	Wiggs.

Absent—Excused.

Albritton.	Mehl.
Bedford.	Morse.
Caven.	Steward.
Farrar.	Warwick.
Kayton.	Wyatt.
McDougald.	

Question next recurring on the motion of Mr. Holder, it prevailed, and the House accordingly, at 5:30 o'clock p. m., took recess to 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE
REPORTS.

The following committee filed a favorable report on bill, as follows:

Game and Fisheries: House bill No. 12.

REPORT OF THE COMMITTEE
ON ENROLLED BILLS.

Committee Room,
Austin, Texas, September 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 4, Requesting Governor Sterling to submit certain subject,

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

In Memory
of
Charles K. Walter

Mr. Satterwhite offered the following resolution:

Resolved, That the House has learned with profound regret of the death, in the city of Austin, in his eightieth year, of Hon. Charles K. Walter, who served with ability and fidelity to the people as a member of this House, representing the people of Gonzales county, in both the Thirtieth and Thirty-first Legislatures.

Mr. Walter had a long record of faithful and efficient public service. He was city attorney of the city of Gonzales, and afterwards, for many years, county attorney of Gonzales county, previous to his service as a member of this House, and at the time of his death, as for many years before, he was the custodian of the Senate Chamber in the State Capitol at Austin, and by his interesting and informative addresses to great numbers of visitors to the Senate Chamber, in explanation of the historic paintings on its walls, he made a large and valuable contribution to the education of the public and the dissemination of the best traditions of Texas.

He was a gentleman of high character, a lawyer of ability and fidelity to every trust, and a valuable public servant.

We extend our sincere sympathy to the children of the deceased, who alone, of his immediate family, survive him.

Be it further resolved, That a page in the Journal be set apart for the record of this resolution; and that a floral offering be sent to the home of the deceased on behalf of the House, and that a committee of five members of the House be appointed by the Speaker to represent the House at the funeral to be held at the home of the deceased, 401 East Thirty-fifth street, in the city of Austin, at 3 p. m. Sunday afternoon. Be it further

Resolved, That the Chief Clerk be instructed to send an engrossed copy of this resolution to each of the six daughters of the deceased.

Signed—Minor, Speaker; Adams of Harris, Adams of Jasper, Adamson, Adkins, Akin, Alsup, Albritton, Anderson, Baker, Barron, Beck, Bedford, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Bryant, Burns of Walker, Burns of McCulloch, Carpenter, Caven, Claunch, Coltrin, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Dale, Daniel, Davis, DeWolfe, Dodd, Donnell, Dowell, Dunlap, Duvall, Dwyer, Elliott, Engelhard, Farmer, Farrar, Ferguson, Finn, Fisher, Forbes, Ford, Fuchs, Gilbert, Giles, Goodman, Graves, Greathouse, Grogan, Hatchitt, Hanson, Hardy, Harman, Harrison of El Paso, Harrison of Waller, Hefley, Herzik, Hill, Hines, Holder, Holland, Holloway, Hoskins, Howsley, Hubbard, Hughes, Jackson, Jones of Shelby, Jones of Atascosa, Johnson of Dallam, Johnson of Dimmit, Johnson of Morris, Justiss, Kayton, Keller, Kennedy, Laird, Lasseter, Lee, Lemens, Leonard, Lilley, Lockhart, Long, McCombs, McDougald, McGregor, Magee, Martin, Mathis, Mehl, Metcalfe, Moffett, Moore, Morse, Munson, Murphy, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Rountree, Sanders, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Steward, Strong, Sullivant, Tarwater, Terrell of Cherokee, Terrell of Val Verde, Towery, Turner, Van Zandt, Vaughan, Veatch, Wagstaff, Walker, Warwick, Weinert, West of Coryell, West of Cameron, Westbrook, Wiggs, Wyatt, Young.

The resolution was read second time, and was adopted.